

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,
Plaintiff,
v.
ALEX GONZALEZ-PEREZ,
Defendant.

Case No. [18-cr-00549-LHK-2](#) (VKD)

DETENTION ORDER

The United States moved for detention of defendant Alex Gonzalez-Perez on the grounds that Mr. Gonzalez-Perez poses a danger to others and the community and poses a risk of non-appearance, citing the rebuttable presumptions that attach to the charged offenses. 18 U.S.C. § 3142(e)(3)(A). Pretrial Services conducted a bail study.

The Court held a hearing on the government's motion on January 22, 2019. Dkt. No. 25. Mr. Gonzalez-Perez was present at the hearing and represented by counsel. At the hearing, Mr. Gonzalez-Perez indicated that he was not prepared to rebut the presumptions of danger and risk of non-appearance at this time. Mr. Gonzalez-Perez declined to continue the hearing but indicated he would seek to reopen the detention hearing if appropriate.

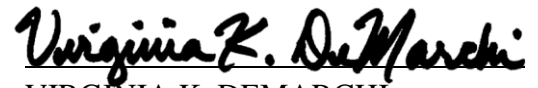
Based on the present record, the government has carried its burden to show that no condition, or combination of conditions, of release could be imposed that would reasonably assure the safety of others and the community and Mr. Gonzalez-Perez's appearance for court as required. Mr. Gonzalez-Perez has not rebutted that showing. He may ask to reopen the detention hearing or move for pretrial release if he identifies new information that would be material to the Court's decision on this issue.

Accordingly, Mr. Gonzalez-Perez is committed to the custody of the Attorney General or

1 his designated representative for confinement in a corrections facility separate, to the extent
2 practicable, from persons awaiting or serving sentences or being held in custody pending appeal.
3 Mr. Gonzalez-Perez shall be afforded a reasonable opportunity for private consultation with
4 defense counsel. On order of a court of the United States or on the request of an attorney for the
5 government, the person in charge of the corrections facility shall deliver Mr. Gonzalez-Perez to
6 the United States Marshal for the purpose of appearances in connection with court proceedings.

7 **IT IS SO ORDERED.**

8 Dated: January 22, 2019

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11 VIRGINIA K. DEMARCHI
12 United States Magistrate Judge
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